

BOIES SCHILLER FLEXNER LLP

David Boies (admitted pro hac vice)
333 Main Street
Armonk, NY 10504
Tel.: (914) 749-8200
dboies@bsfllp.com

Mark C. Mao, CA Bar No. 236165
Beko Reblitz-Richardson, CA Bar No. 238027
44 Montgomery St., 41st Floor
San Francisco, CA 94104
Tel.: (415) 293-6800
mmao@bsfllp.com
brichardson@bsfllp.com

James Lee (admitted pro hac vice)
Rossana Baeza (admitted pro hac vice)
100 SE 2nd St., 28th Floor
Miami, FL 33131
Tel.: (305) 539-8400
jlee@bsfllp.com
rbaeza@bsfllp.com

Alison L. Anderson, CA Bar No. 275334
M. Logan Wright, CA Bar No. 349004
2029 Century Park East, Suite 1520
Los Angeles, CA 90067
Tel.: (213) 995-5720
alanderson@bsfllp.com
mwright@bsfllp.com

SUSMAN GODFREY L.L.P.

Bill Carmody (admitted pro hac vice)
Shawn J. Rabin (admitted pro hac vice)
Steven M. Shepard (admitted pro hac vice)
Alexander Frawley (admitted pro hac vice)
Ryan Sila (admitted pro hac vice)
One Manhattan West, 50th Floor
New York, NY 10001
Tel.: (212) 336-8330
bcarmody@susmangodfrey.com
srabin@susmangodfrey.com
sshepard@susmangodfrey.com
afrawley@susmangodfrey.com
rsila@susmangodfrey.com

Amanda K. Bonn, CA Bar No. 270891
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Tel.: (310) 789-3100
abonn@susmangodfrey.com

MORGAN & MORGAN

John A. Yanchunis (admitted pro hac vice)
Ryan J. McGee (admitted pro hac vice)
Michael F. Ram, CA Bar No. 104805
201 N. Franklin Street, 7th Floor
Tampa, FL 33602
Tel.: (813) 223-5505
jyanchunis@forthepeople.com
rmcgee@forthepeople.com
mram@forthepeople.com

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, SAL
CATALDO, JULIAN
SANTIAGO, and SUSAN LYNN
HARVEY, individually and on behalf of all
others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,
Defendant.

Case No.: 3:20-cv-04688-RS

**OMNIBUS DECLARATION OF MARK
C. MAO IN SUPPORT OF PLAINTIFFS'
OPPOSITIONS TO GOOGLE LLC'S
MOTIONS *IN LIMINE* NOS. 1–12**

The Honorable Richard Seeborg
Courtroom 3 – 17th Floor
Date: July 30, 2025
Time: 9:30 a.m.

DECLARATION OF MARK C. MAO

I, Mark C. Mao, declare as follows:

1. I am a partner with the law firm of Boies Schiller Flexner LLP (“BSF”), counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Omnibus Declaration in support of Plaintiffs’ Oppositions to Google LLC’s (“Google”) Motions *in Limine* Nos. 1–12. For ease of reference, I have organized this Omnibus Declaration by each Opposition.

I. Plaintiffs’ Opposition to Google’s Motion *in Limine* 1

3. In August 2023, I received a voicemail from Mr. Blake Lemoine. This was the first time that Mr. Lemoine made contact with counsel in *Brown v. Google LLC*, No. 4:20-cv-03664-YGR (N.D. Cal.) (“*Brown*”), who are the same counsel in this matter.

4. On October 4, 2023, Plaintiffs served their amended Rule 26 disclosures to Google, informing Google that Mr. Lemoine had relevant knowledge about matters at issue in this litigation.

5. Attached hereto as **Exhibit 1** is a true and accurate copy of the Declaration of Blake Lemoine, publicly filed in *Brown* at Dkt. 1042-1.

6. Attached hereto as **Exhibit 2** are true and correct copies of excerpts from the transcript of the deposition of Blake Lemoine, taken on December 14, 2023, in *Brown v. Google LLC*.

7. On February 9, 2024, Plaintiffs provided to Google a joint letter brief related to Mr. Lemoine’s deposition and documents. Google never returned this joint letter brief.

8. Plaintiffs’ counsel have conducted a review of Google’s productions in this case, and the term “lamda” (the former name for Google’s artificial intelligence product now known as Gemini) returns zero results.

II. Plaintiffs’ Opposition to Google’s Motion *in Limine* 2

9. Intentionally left blank.

1 **III. Plaintiffs' Opposition to Google's Motion *in Limine* 3**

2 10. Attached hereto as **Exhibit 3** is a true and accurate copy of Google's Second
3 Supplemental Responses to Plaintiffs' Interrogatories (Set 1).

4 11. Attached hereto as **Exhibit 4** is a true and accurate copy of a document Google
5 produced in discovery, which is Bates labeled GOOG-RDGZ-00033245, and was previously
6 unsealed at Dkt. 450-4.

7 **IV. Plaintiffs' Opposition to Google's Motion *in Limine* 4**

8 12. Attached hereto as **Exhibit 5** is a true and accurate copy of an excerpt of the
9 transcript of the October 25, 2022 deposition of Eric Miraglia in this matter.

10 13. Attached hereto as **Exhibit 6** is a true and accurate copy of Plaintiffs' Proposed
11 Exhibit PX-33.

12 14. Attached hereto as **Exhibit 7** is a true and accurate copy of an excerpt of the
13 transcript of the October 3, 2022 deposition of Greg Fair.

14 15. Attached hereto as **Exhibit 8** is a true and accurate copy of an excerpt of the
15 transcript of the February 8, 2023 deposition of Sam Heft-Luthy.

16 16. Attached hereto as **Exhibit 9** is a true and accurate copy of an excerpt of the
17 February 7, 2023 deposition of Arne de Booi.

18 17. Attached hereto as **Exhibit 10** is a true and accurate copy of the metadata Google
19 produced with Plaintiffs' Proposed Exhibit PX-14.

20 18. Attached hereto as **Exhibit 11** is a true and accurate copy of an excerpt of the
21 transcript of the September 15, 2022 deposition of David Monsees.

22 19. Attached hereto as **Exhibit 12** is a true and accurate copy of the metadata Google
23 produced with Plaintiffs' Proposed Exhibit PX-186.

24 20. Attached hereto as **Exhibit 13** is a true and accurate copy of the metadata Google
25 produced with Plaintiffs' Proposed Exhibit PX-283.

26 21. Attached hereto as **Exhibit 14** is a true and accurate copy of the metadata Google
27 produced with Plaintiffs' Proposed Exhibit PX-9.

28

22. Attached hereto as **Exhibit 15** is a true and accurate excerpt of a document Google produced in discovery, which is Bates labeled GOOG-RDGZ-00068554.

23. Attached hereto as **Exhibit 16** is a true and accurate excerpt of Plaintiffs' Proposed Exhibit PX-326.

24. Attached hereto as **Exhibit 17** is a true and accurate copy of a document Google produced in discovery, which is Bates labeled GOOG-RDGZ-00128311.

25. Attached hereto as **Exhibit 18** is a true and accurate excerpt of Plaintiffs' Proposed Exhibit PX-2.

V. Plaintiffs' Opposition to Google's Motion in Limine 5

26. Attached hereto as **Exhibit 19** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-309.

27. Attached hereto as **Exhibit 20** is a true and accurate copy of an excerpt of the transcript of the February 8, 2023 deposition of Sam Heft-Luthy.

28. Attached hereto as **Exhibit 21** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-18.

29. Attached hereto as **Exhibit 22** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-196.

VI. Plaintiffs' Opposition to Google's Motion in Limine 6

30. Intentionally left blank.

VII. Plaintiffs' Opposition to Google's Motion in Limine 7

31. Attached hereto as **Exhibit 23** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-354, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-34.

32. Attached hereto as **Exhibit 24** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-355, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-68.

33. Attached hereto as **Exhibit 25** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-356, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-61

34. Attached hereto as **Exhibit 26** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-357, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-51.

35. Attached hereto as **Exhibit 27** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-358, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-52.

36. Attached hereto as **Exhibit 28** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-359, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-83.

37. Attached hereto as **Exhibit 29** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-360, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-47.

38. Attached hereto as **Exhibit 30** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-361, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-50.

39. Attached hereto as **Exhibit 31** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-362, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-76.

40. Attached hereto as **Exhibit 32** is a true and accurate copy of Plaintiffs' Proposed Exhibit PX-363, which is the publicly filed version of document that Google produced in *Brown* at Dkt. 928-60.

VIII. Plaintiffs' Opposition to Google's Motion in *Limine* 8

41. Intentionally left blank.

IX. Plaintiffs' Opposition to Google's Motion in *Limine* 9

42. Intentionally left blank.

X. Plaintiffs' Opposition to Google's Motion *in Limine* 10

43. Intentionally left blank.

XI. Plaintiffs' Opposition to Google's Motion *in Limine* 11

44. A true and accurate copy of this document, Google's Second Supplemental Responses to Plaintiffs' Interrogatories (Set 1), has been previously attached to this declaration as **Exhibit 3.**

45. A true and accurate copy of this document, which Google produced in discovery and is Bates labeled GOOG-RDGZ-00033245, has been previously attached to this declaration as **Exhibit 4.**

XII. Plaintiffs' Opposition to Google's Motion *in Limine* 12

46. Intentionally left blank.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 10th day of July, at San Francisco, California.

/s/ Mark C. Mao